

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MERRILL STEINBERG, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

VS.

ERICSSON LM TELEPHONE CO., CARL-
HENRIC SVANBERG and KARL-HENRIK
SUNDSTROM,

Defendants.

CIVIL ACTION NO. 07-CV-9615-RPP

“ECF CASE”

**DECLARATION OF BRIAN P. MURRAY IN OPPOSITION
TO INSTITUTIONAL INVESTOR GROUP’S MOTION
TO STRIKE**

I, Brian P. Murray, declare as follows:

1. I am a member of the bar of this Court and the of law firm Murray, Frank & Sailer LLP, counsel for lead plaintiff movant Jacques Furher. I submit this Declaration in Support of Mr. Furher's Opposition to the Institutional Investor Group's Motion to Strike.

2. I did not receive an electronic notice of filing informing me that the Institutional Investor Group had filed a reply brief on January 28, 2008 in the above-captioned actions, nor did I receive a hard copy of the Institutional Investor Group's reply at any time before the filing of Mr. Furher's reply brief. At no time before the filing of Mr. Furher's reply brief in the above-captioned action did I see, read, or review the Institutional Investor Group's reply brief.

3. Moreover, I did not receive electronic notice of the Institutional Investor Group's motion to strike Mr. Furher's reply brief, and indeed did not know that the Institutional Investor Group had so moved until the Institutional Investor Group's counsel, Christopher Keller asked whether Mr. Furher would be opposing the motion. Attached hereto as Exhibit A is a true and correct copy of the e-mail from Christopher Keller to Brian P. Murray, dated February 4, 2008.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on February __, 2008.

/s/
Brian P. Murray

EXHIBIT A

Brian P. Murray, Esq.

From: Keller, Christopher J. [ckeller@labaton.com]
Sent: Monday, February 04, 2008 7:59 PM
To: Brian P. Murray, Esq.
Cc: Rado, Andrei; Chan, Cindy
Subject: RE: Ericsson

I have a doctors appointment in the morning, so the afternoon on 2/15 works best. Please coordinate with Andrei here to jointly contact the court tomorrow and let them know of our preference. We'll you be filing an opposition to our motion to strike?

Christopher J. Keller, Esq.
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From: Brian P. Murray, Esq. [mailto:bmurray@murrayfrank.com]
Sent: Monday, February 04, 2008 4:43 PM
To: Keller, Christopher J.
Subject: Ericsson

We can do the argument 2/15 either time.

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2/7/2008